

specifications. In such cases, the offeror's lack of knowledge of the standards may hinder its ability to know the basis upon which the offer will be evaluated.

The public's views are sought regarding what types of acquisitions, if any, might warrant the release of evaluation standards as part of the solicitation. The public's views are also sought on whether there are circumstances in which proposals should be evaluated against one another as opposed to a set of standards.

11. *Unsolicited proposals:* The public's views are sought on whether the FAR provisions addressing the handling of unsolicited proposals discourage industry from investing independent research and development funds in unique and innovative ideas and, therefore, should be modified.

Linda W. Neilson,

Deputy Director, Defense Acquisition Regulations Council.

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48 CFR Parts 225 and 252

Defense Federal Acquisition Regulation Supplement; Foreign Product Restrictions

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule with request for comment.

SUMMARY: The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to rescind most of the non-statutory foreign product restrictions in subpart 225.71.

DATES: Comment Date: Comments on the proposed rule should be submitted in writing to the address below on or before February 26, 1996, to be considered in the formulation of the final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Ms. Amy Williams, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, D.C. 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 95-D033 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, (703) 602-0131.

SUPPLEMENTARY INFORMATION:

A. Background

This proposed rule amends language in the Defense Federal Acquisition Regulation Supplement (DFARS) to

rescind most of the non-statutory foreign product restrictions in Subpart 225.71, except for the restrictions on several forging items, which are still under review.

B. Regulatory Flexibility Act

The proposed rule may have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the proposed rule will affect the preference for domestic manufacturers of miniature and instrument ball bearings, precision components for certain mechanical time devices, high purity silicon, high carbon ferrochrome, and certain foreign items. It is estimated that approximately 135 contractors, some of which are small businesses, will now be subject to foreign competition. An Initial Regulatory Flexibility Analysis has been prepared and may be obtained from the address stated herein. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 95-D033 in correspondence.

C. Paperwork Reduction Act

Because many items are no longer restricted, the proposed rule will result in a reduction of the paperwork burden associated with DFARS clause 252.225-7025, Foreign Source Restrictions (OMB Control No. 0704-0229), which requires that contractors maintain records showing compliance with the restrictions until three years after final payment and make records available upon request of the Contracting Officer. The rule does not impose any additional information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 225 and 252

Government procurement.

Michele P. Peterson,
Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Parts 225 and 252 are proposed to be amended as follows:

PART 225—FOREIGN ACQUISITION

1. The authority citation for 48 CFR Parts 225 and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

2. Section 225.7102 is revised to read as follows:

225.7102 Forgings policy.

DoD requirements for the following forging items, whether as end items or components, shall be acquired from U.S. or Canadian sources to the maximum extent practicable—

Items	Categories
Ship propulsion shafts	Excludes service and landing craft shafts.
Periscope tubes	All.
Ring forgings for bull gears.	All greater than 120 inches in diameter.

3. Section 225.7103 is revised to read as follows:

225.7103 Forgings exceptions.

The policy in 225.7102 does not apply to acquisitions—

(a) When using simplified acquisition procedures, unless the restricted item is the end item being purchased;

(b) Overseas for overseas use; or

(c) When the quantity acquired exceeds the amount needed to maintain the U.S. defense mobilization base (provided such quantity is an economical purchase quantity). The restriction to domestic sources does not apply to the quantity above that required to maintain the base, in which case, qualifying country sources may compete.

4. Section 225.7104 is revised to read as follows:

225.7104 Forgings waivers.

Upon request from a prime contractor, the contracting officer may waive the requirement for domestic manufacture of the items covered by the policy in 225.7102.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

5. Section 252.225-7105, is revised to read as follows:

252.225-7025 Foreign Source Restrictions.

As prescribed in 225.7105, use the following clause:

Foreign Source Restrictions (XXX XXXX)

(a) *Definitions.* As used in this clause—

(1) "Domestic manufacture" means manufactured in the United States or Canada if the Canadian firm—

(i) Normally produces similar items or is currently producing the item in support of DoD contracts (as prime or subcontractor); and

(ii) Agrees to become (upon receiving a contract/order) a planned producer under

DoD's Industrial Preparedness Program, if it is not already a planned producer for the item.
(2) "Forging items" means—

Items	Categories
Ship propulsion shafts	Excludes service and landing craft shafts.
Periscope tubes	All.
Ring forgings for bull gears.	All greater than 120 inches in diameter.

- (b) The Contractor agrees that end items and their components delivered under this contract shall contain forging items that are of domestic manufacture only.
- (c) The restrictions in paragraph (b) of this clause may be waived upon request from the Contractor in accordance with section 225.7104 of the Defense FAR Supplement.
- (d) The Contractor agrees to retain records showing compliance with this restriction until three years after final payment and to make records available upon request of the Contracting Officer.
- (e) The Contractor agrees to insert this clause, including this paragraph (e), in subcontracts and purchase orders issued in performance of this contract, when products purchased contain restricted forging items. (End of clause)

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DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Part 651
[I.D. 121995A]
New England Fishery Management Council; Meeting
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Public meeting.
SUMMARY: The New England Fishery Management Council (Council) will hold a 2-day public meeting to consider actions affecting New England fisheries in the exclusive economic zone.
DATES: The meeting will begin on Wednesday, January 10, 1996, at 10 a.m. and on Thursday, January 11, 1995, at 8:30 a.m.
ADDRESSES: The meeting will be held at the Tara's Ferncroft Conference Resort and Hotel, 50 Ferncroft Road, Danvers, MA; telephone: (508) 277-2500. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097; telephone: (617) 231-0422.

FOR FURTHER INFORMATION CONTACT: Douglas G. Marshall, Executive Director, (617) 231-0422.
SUPPLEMENTARY INFORMATION: The January 10-11 meeting is being convened specifically to address the remaining groundfish issues that relate to finalizing draft Amendment 7 to the Northeast Multispecies (Groundfish) Fishery Management Plan. The intent of this amendment is to implement measures to rebuild severely overfished stocks, with particular emphasis on cod, haddock, and yellowtail flounder. If time allows, the Council may consider other relevant business.
Special Accommodations
This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Douglas G. Marshall (see **ADDRESSES**) at least 5 days prior to the meeting date.
Authority: 16 U.S.C. 1801 *et seq.*
Dated: December 21, 1995.
Richard H. Schaefer,
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.
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